IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

(SPECIAL ORIGINAL JURISDICTION)

TUESDAY THE NINETH DAY OF DECEMBER TWO THOUSAND AND THREE

: PRESENT :

THE HON'BLE DR. JUSTICE: **MOTILAL B.NAIK**

AND

THE HON'BLE MR.JUSTICE: **DALAVA SUBRAHMANYAM**

W.P.No. 25212 of 2003

Between:

M/s. Sri Lakshmi Timber Traders, Chilakaluripet, rep. by its Proprietor Sri P.Poornachander Rao.

Petitioner

AND

1. The Additional Commissioner of Commercial Taxes (Legal) Excise and Commercial Taxes building, M.G.Road, Nampally, Hyderabad.
2. The Appellate Deputy Commissioner of Commercial Taxes, Guntur.
3. The Deputy Commercial Tax Officer, Office of the Commercial Tax Officer, Chilakaluripet.

Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein, the High Court will be pleased to issue an appropriate Writ, Order or Direction more particularly in the Writ of Mandamus declaring the order passed by the first respondent herein rejecting the stay petition filed by the petitioner in Reference No. LV(1)/1059/2003, dated. 27-10-2003 illegal, arbitrary, perverse and contrary to the provisions of the Act and also violative of the principles of natural justice and direct the third respondent not to take any coercive steps for recovery of the disputed tax pending disposal of Appeal on the file of Sales Tax Appellate Tribunal, Hyderabad.

The Petition coming on for hearing upon perusing the petition and affidavit filed herein and upon hearing the arguments of Mr. M.V.J.K.Kumar, Advocate for the Petitioner and of G.P. for Commercial Tax, on behalf of the Respondents.

The Court made the following **ORDER:**

" For placing record before us, two weeks time is granted to the Government Pleader.

Pending passing further orders by this court, respondents shall not take

coercive steps against the petitioner."

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The Additional Commissioner of Commercial Taxes (Legal) Excise and Commercial Taxes building, M.G.Road, Nampally, Hyderabad.

2. The Appellate Deputy Commissioner of Commercial Taxes, Guntur District.
3. The Deputy Commercial Tax Officer, Office of the Commercial Tax Officer, Chilakaluripet, Guntur District.
4. Two CCs to G.P. for Commercial Tax, High Court of A.P.Hyd(OUT)
5. One CC to Mr. M.V.J.K.Kumar, Advocate (OPUC)
6. Two spare copies.

SAH